THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24287 OF 1997

ORAL ORDER:

This writ petition is filed seeking a declaration that the alleged action of the respondents in interfering with the possession and changing physical features in Sy.No.140 to an extent of Ac.1.50 cents of Royalpeta village, Chittoor district as arbitrary and illegal.

It is pleaded that the petitioner's land situated in Sy.No.140 was part and parcel of erstwhile Punganur Zamindari, which land has been treated as personal property of Smt. Rani Sundarammai Garu and that he has been in possession and enjoyment of Ac.1.50 cents for the past several years. It is alleged that the respondents without there being any justifiable reason are trying to interfere with his possession.

On behalf of respondents 1 to 3, a counter affidavit has been filed denying the claim of the petitioner that he has been in possession and enjoyment of the same. It is stated that the land in question is in possession of Veterinary Hospital, which has been functioning for the past 10 years.

Having heard the learned counsel for both the parties and having regard to the specific plea raised by the official respondents, denying the possession claimed by the petitioner, the relief as prayed for cannot be granted under Article 226 of the Constitution of India.

Accordingly, the writ petition is dismissed.

However, the petitioner is granted liberty to work out the appropriate common law remedy for redressal of his grievance, if any.

(G. ROHINI).

5th March, 2007.
Kgr

THE HON'BLE Ms. JUSTICE G. ROHINI

WRIT PETITION No.24287 OF 1997

5th March, 2007.

Between:

V.L. Ananda Jettv. .. Petitioner.

And

The State of A.P., represented by the District Collector, Chittoor District and others. .. Respondents.